

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ANDRE' D BERRY

v.

DIRECTOR, TDCJ-CID

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Civil Action No. 4:15-CV-705

**MEMORANDUM ADOPTING INITIAL REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation (Dkt. #21) concluding that Movant's petition for habeas corpus (Dkt. #1) should be dismissed without prejudice for failure to prosecute. The Report and Recommendation, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

It is accordingly **ORDERED** that Movant's petition for habeas corpus (Dkt. #1) is **DISMISSED** without prejudice.

SIGNED this 6th day of November, 2017.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE